



Image 1653

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/853,731
	Filing Date	May 11, 2001
	First Named Inventor	A. Papadimitriou
	Art Unit	1653
	Examiner Name	Kam, Chih Min
Total Number of Pages in This Submission	Attorney Docket Number	20619 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	-Submission of Original Declaration of Apollon Papadimitriou, Ph.D. Under 37 CFR Section 1.132	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual	Patricia S. Rocha-Tramaloni	
Signature		
Date	February 17, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on this date February 17, 2004			
Typed or printed	Patricia S. Rocha-Tramaloni		
Signature		Date	February 17, 2004

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor: Apollon Papadimitriou

Group: 1653

Serial No. 09/853,731, filed May 11, 2001  
(Case Docket No. 20619 US)

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

**SUBMISSION OF ORIGINAL DECLARATION OF**  
**APOLLON PAPADIMITRIOU, Ph.D.**  
**UNDER 37 CFR § 1.132**

Nutley, New Jersey 07110  
February 17, 2004


Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Together with applicant's amendment dated February 11, 2004, applicant submitted a facsimile Declaration of Dr. Apollon Papadimitriou.

Enclosed please find the original Declaration of Apollon Papadimitriou.

Respectfully submitted,

  
Attorney for Applicant(s)  
Patricia S. Rocha-Tramaloni  
(Reg. No. 31,054)  
340 Kingsland Street  
Nutley, New Jersey 07110  
Telephone: (973) 235-2441  
Telefax: (973) 235-2363

Attachment

139173



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor: Apollon Papadimitriou

Group: 1653

Serial No. 09/853,731, filed May 11, 2001  
(Case Docket No. 20619 US)

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

**DECLARATION OF APOLLON PAPADIMITRIOU, Ph.D.**  
**UNDER 37 CFR § 1.132**

Nutley, New Jersey 07110  
February 5, 2004

Commissioner of Patents  
Washington, D.C. 20231

Sir:

I, Apollon Papadimitriou, declare that:

I am the named inventor of the erythropoietin compositions claimed in the instant application Serial No. 09/853,731, filed May 11, 2001.

I am familiar with the pharmaceutical compositions disclosed in US Patent 6,583,272 B1, filed June 27, 2000 to Bailon, specifically formulations A-I presented in Example 8, Table 3. I am the source of the pharmaceutical compositions disclosed in the Bailon '272 patent and am the sole inventor also of these compositions.

Serial No. 09/853,731  
Filed May 11, 2001

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

February 5, 2004

Apolon Papadimitriou  
Apolon Papadimitriou